

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/634,201	MISNER ET AL.	
	Examiner	Art Unit	
	John B. Walsh	3676	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/13/2004.
2. ☒ The allowed claim(s) is/are 3-10, 12-28 and 30-40.
3. ☒ The drawings filed on 02 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

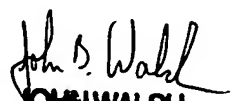
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |                                                                                                                     |                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)                                                    | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                               |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>9/29/04</u> |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                                       |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                      |
|                                                                                                                     | 9. <input type="checkbox"/> Other _____                                                                   |

  
**JOHN WALSH**  
**PRIMARY EXAMINER**

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Burge on September 29, 2004.

2. The application has been amended as follows:

In the Claims:

- a. Claim 4, line 12 – delete “in” before “the indicator member”.
- b. Claim 20, line 2 – delete “the” before “the indicator member”.
- c. Claim 27, line 8 – replace “side” with --slide-- before “member”.
- d. Claim 31, line 2 – insert –a-- before “first surface”.
- e. Claim 40, line 5 – delete “in” after “when”.

### ***Allowable Subject Matter***

3. Claims 3-10, 12-28 and 30-40 are allowed.
4. The following is an examiner's statement of reasons for allowance: The prior art of record does not teach or disclose the applicant's invention as claimed in detail wherein the indicator is resettable from displaying the second state to displaying the first state only after the padlock is opened by setting said combination (claim 3); the indicator includes an indicator member connected to the housing for movement between first and second positions and being

capable of displaying a first surface that is viewable through a window of the housing when the indicator member is in the first position, and of displaying a second surface through the window when in the second position, with the first and second surfaces differing in appearance one from the other (claim 4); the indicator is resettable from displaying the second state to displaying the first state only if the shackle is opened by setting said combination (claim 12); of the padlock being opened by said key, wherein the housing has an interior region and has a window that opens through a wall of the housing into the interior region, wherein the indicator includes an indicator member supported in the interior region for movement between a first state position and a second state position, with a first surface of the indicator member being displayed in the window of the housing when the indicator is in the first state position so as to display said first state, and with a second surface of the indicator member being displayed in the window of the housing when the indicator is in the second state position so as to display said second state (claim 15); the housing defines an aperture, and wherein the indicator is visible through the aperture to indicate if the shackle has been released for movement from the locked position to the unlocked position in response to said insertion and turning of said key (claim 30); additionally including means for resetting the indicator after the shackle has released for movement from the locked position to the unlocked position in response to entry of said predetermined combination (claim 33); a padlock responsive to entry a combination and to insertion and turning of a key, an indicator viewable through an aperture defined by the housing for indicating when the locking mechanism has responded to said insertion and turning of said key to release the shackle for movement from the locked position to the unlocked position (claim 35).

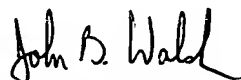
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 703-305-0444. The examiner can normally be reached on Monday-Friday from 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dan Stodola can be reached on 703-308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John B. Walsh  
Primary Examiner  
Technology Center 3670